

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**ANGELA BOYER,**

**Plaintiff,**

**v.**

**NICHOLAS WALKER and  
WALTER MERITHS & ASSOC.  
LLC,**

**Defendants.**

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**Civil Action File No.**

**JURY TRIAL DEMAND**

**COMPLAINT**

**COMES NOW** Plaintiff, Angela Boyer (“Plaintiff”), by and through counsel undersigned, and hereby submits her Complaint against Defendants, Nicholas Walker (“Walker”) and Walter Meriths & Assoc. LLC (“WMA”) (collectively “Defendants”), and shows the Court, as follows:

**1.**

This cause of action arises under the provisions of the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* (hereinafter “FLSA”) seeking a remedy for unpaid wages which occurred while Plaintiff was employed by Defendants.

**Parties, Jurisdiction, and Venue**

**2.**

Plaintiff is a resident of the State of Georgia and of the Northern District of Georgia.

**3.**

WMA is a domestic limited liability corporation doing business in the State of Georgia. WMA's principal office address is 260 Peachtree Street, Suite 2115, Atlanta, Georgia 30303. This Defendant may be served via its registered agent, Nicholas Walker, at 260 Peachtree Street, Atlanta, Georgia 30303.

**4.**

Walker is a resident of the State of Georgia and can be served at his residence, located at 7444 Paul Court, #7183, Riverdale, Georgia 30274.

**5.**

The jurisdiction of this Court is proper pursuant to 28 U.S.C. §§ 1331 and 1337. This Court also has jurisdiction pursuant to 29 U.S.C. § 216(b).

**6.**

Pursuant to 28 U.S.C. § 1391, venue is appropriate in this judicial district as the Defendants conduct business and maintain a registered agent within the Northern District of Georgia.

**Factual Allegations**

**7.**

Plaintiff was employed by Defendants as an operations manager.

**8.**

At all times material to this Complaint, Plaintiff engaged in commerce within the meaning of 29 U.S.C. § 203(b).

**9.**

Defendants are employers within the meaning of FLSA § 203(d) and are not exempt employers under the Act.

**10.**

Defendants paid Plaintiff \$15 per hour.

**11.**

Plaintiff worked 40 hours per week.

**12.**

In April 2018, Defendants terminated Plaintiff's employment.

**13.**

Thereafter, Defendants failed to compensate Plaintiff for 107 hours she worked during the final three weeks of her employment.

**COUNT I**  
**(Unpaid Wages)**  
**(FLSA § 206)**

**14.**

Plaintiff incorporates by reference, as though fully set forth herein, the allegations contained in the preceding Paragraphs.

**15.**

The above facts support Plaintiff's claims for relief under the FLSA.

**16.**

Defendants are liable to Plaintiff for compensation, at the rate of \$15 per hour, for any and all time worked during the last three weeks of her employment.

**17.**

Defendants' failure to compensate Plaintiff for time worked is a violation of § 206 of the Fair Labor Standards Act of 1938, as amended.

**18.**

Defendants' violation of the FLSA was intentional and willful.

**19.**

Said violation gives rise to a claim for relief under the FLSA for Plaintiff for compensation for all unpaid compensation, liquidated damages in an amount equal

to the unpaid compensation, and reasonable attorney's fees and expenses of litigation, pursuant to 29 U.S.C. § 216.

**WHEREFORE**, Plaintiff respectfully prays for judgment against the Defendants, as follows:

- A. That Plaintiff be awarded payment for each hour she worked but did not receive compensation for, calculated at the normal rate, liquidated damages equaling 100% of such compensation due Plaintiff, and prejudgment interest on all amounts owed, as required by the FLSA;
- B. That Plaintiff recover reasonable attorneys' fees, including litigation expenses and costs; and
- C. Such other relief as the Court deems proper and just.

**JURY DEMAND**

Plaintiff herein requests a trial by jury of all issues in this action.

Dated this 12<sup>th</sup> day of June 2018.

**PANKEY & HORLOCK, LLC**

By: /s/ Larry A. Pankey  
Larry A. Pankey  
Georgia Bar No. 560725  
Erin J. Krinsky  
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**CERTIFICATION OF FONT SIZE**

Pursuant to Local rule 5.1C of the Local Rules of the United States District Court for the Northern District of Georgia, I, Larry A. Pankey, Esq., of Pankey & Horlock, LLC, attorney for Plaintiff, Angela Boyer, hereby certify that the foregoing **Complaint** is typewritten in MS Word using Times New Roman font, fourteen (14) point type.

Dated this 12th day of June 2018.

**PANKEY & HORLOCK, LLC**

By: /s/ Larry A. Pankey  
Larry A. Pankey  
Georgia Bar No. 560725  
**Attorneys for Plaintiff**